UTILITY PATENT APPLICATION TRANSMITTAL

(For new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. **PU3556C1**

First Named Inventor **Dow et al.**

"EXPRESS MAIL CERTIFICATE"

"EXPRESS MAIL" MAILING LABEL NUMBER **EV332944163US** DATE OF DEPOSIT: **15 March 2004**

I hereby certify that this paper or fee and the papers indicated as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date and with the Mailing Label Number indicated above and addressed to: COMMISSIONER FOR PATENTS, MAIL STOP: PETITIONS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

NAME OF PERSON MAILING PAPER OR FEE (TYPE OR PRINT) Aaron Graham SIGNATURE

APPLICATION ELEMENTS *See MPEP chapter 600 concerning utility patent application contents.*	
1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit Account No. 19-2570 ☒ General Authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extensions of time, relating to this application. (37 CFR 1.136(a)(3)) *(Submit an original, and a duplicate for fee processing)*	7. ☒ The Title of the Invention: FLUTICASONE LOTION HAVING IMPROVED VASOCONSTRICTOR ACTIVITY
2. ☒ The total fee is calculated as shown below: Basic Filing fee $770.00 Total Claims 20 - 20 = 0 x $18 $ 0.00 Independent Claims 5 -3 = 2 x $86 $172.00 ☐ Multiple Dependent Claim present. $290 **TOTAL FILING FEE** **$942.00** ☐ Cancel in this application original claims _to __of the prior application before calculating the filing fee. ☒ **Charge $770.00** to the above indicated Deposit Account.	8. ☐ Nucleotide and/or Amino Acid Sequence Submission a. ☐ Computer Readable Copy b. ☐ Paper Copy (identical to computer copy) c. ☐ Statement verifying identity of above copies d. ☐ Use the identical computer-readable form filed in Application No. _____, filed ___ _ as the computer-readable form for the instant application. (37 CFR 1.821(e)) ACCOMPANYING APPLICATION PARTS 9. a. ☐ Information Disclosure Statement (IDS) b. ☐ PTO-1449 c. ☐ Copies of all IDS Citations 10. ☐ Assignment Papers (cover sheet & document(s)) 11. ☒ Prior Application is Assigned to: Glaxo Wellcome Inc. *(for continuation/divisional with Box 17a completed*
3a. ☒ Specification excluding Drawings [*Total Pages*] 23 3b. ☒ Abstract on a separate sheet [*Total Pages*] 1	12. ☒ Preliminary Amendment [*Total Pages*] 7
4. ☐ Drawing(s) (35 USC 113) [*Total Sheets*] _____	13. ☒ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
5. ☒ Declaration and Power of Attorney [*Total Pages*] 3 a. ☐ Newly executed (original or copy) b. ☒ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional with Box 17a completed)* c. ☐ Unsigned Declaration *[Note Box 6 below]* i. ☐ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).	14. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)* 15. ☒ Transfer all references cited by Applicants or by the Examiner from the parent Application Serial No. 09/830,037 filed 20 April 2001. A PTO-1449 listing the references is enclosed. 16. ☒ Other: Copy of Petition to Revive
6. ☒ Incorporation By Reference *(useable if Box 5b is checked)* The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.	

17.	☒ Priority Information, *check appropriate box and supply the requisite information*
a.	The accompanying application is a ☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09/830,037 filed 20 April 2001.
b.	☐ Benefit is claimed under Title 35, United States Code, Section 119(e) of the following Provisional Applications: Application No. filed .
c.	** Add claim to priority via Preliminary Amendment.

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Respectfully Submitted,

Signature

Name James C. Kellerman

Registration No. 43,708

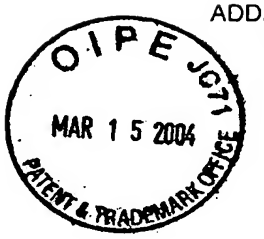
20462

PATENT TRADEMARK OFFICE

3-16-04

DAC

CERTIFICATE OF MAILING
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, Box Petitions, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON 15 March 2004



NAME

3-15-04
DATE

Attorney Docket No. PU3556

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dow et al.

Serial No.: 09/830,037 Group Art Unit No.: 1617

Filed: 20 April 2001 Examiner: Hui, S.M.

For: FLUTICASONE LOTION HAVING IMPROVED VASOCONSTRICTOR ACTIVITY

Commissioner for Patents
Box PETITIONS
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(B)

The above identified application become abandoned for failure to file a timely and proper response to the Office Action mailed on 8 September 2003, which set a three month period for response.

No notice of abandonment has been received in connection with this application. Due to a docketing error a reply was not submitted. Thus it is believed that the application became abandoned.

Petition Fee - Please charge Deposit Account No. 19-2570 the requisite fee of $1,330.

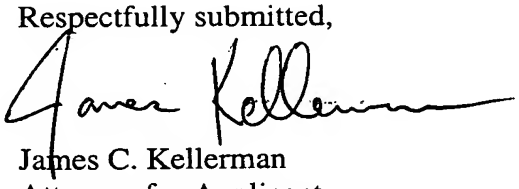
Serial No.: 09/830,037
Group Art Unit No.: 1617

The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

A continuation is being filed as a reply to the outstanding office action today under 37 CFR 1.10. A copy of the transmittal is included herewith.

I, the undersigned, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent which is verified statement in directed.

Respectfully submitted,



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